IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.36266 of 2008

1. CHITRANJAN MAHTO @ CHITRANJAN KUMAR
2. Narendra Mahto
3. Jitendra Mahto @ Jitendra Kumar
4. Chhotu Mahto @ Niranjan Kumar
All sons of Sri Baijnath @ Baijnath Prasad
R/o- Village – Pindari,
P.S.- Amas, District - Gaya

Versus
STATE OF BIHAR
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3. 26.11.2008 Heard learned counsel for the petitioner and the State.

Petitioners are accused in a case registered for the offence under Sections 341, 323, 304, 504/34 and 307 of the Indian Penal Code.

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It is submitted that petitioner is not named accused. The specific allegation is against others accused persons mentioned in the First Information Report who had taken part in the assault. The name of the petitioner has figured in the re-statement of the informant only. The prayer for calling the case diary is rejected.

Learned counsel for the State opposes the prayer for bail and submits that several paragraphs of case diary supports that informant and all the witnesses have stated that these petitioners also took part in the incident and also after breaking door of the house of the informant outraged the modesty.

Considering the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, prayer for bail on behalf of the petitioners is rejected.

Jagdish **(Shailesh Kumar Sinha,J)**

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